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C O N F I D E N T I A L LA PAZ 003077

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E.O. 12958: DECL: 11/23/2017
TAGS: [ECON](#) [PGOV](#) [PREL](#) [BL](#)
SUBJECT: OPPOSITION CLOSED OUT OF MAS CONSTITUENT ASSEMBLY

REF: LA PAZ 2827

Classified By: Acting EcoPol Chief Joe Relk
for reasons 1.4 (b) and (d).

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Summary
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11. (SBU) Constituent Assembly leadership from the ruling Movement Toward Socialism (MAS) moved the Assembly to a military facility outside of Sucre without the vast majority of the opposition. As of 4:00 PM November 23, the MAS had successfully pulled together a 145 delegate quorum at La Glorieta military school. The MAS' likely goal is to force a vote on their draft constitution without the presence of the opposition. PODEMOS and other opposition parties have called the MAS move illegal. The opposition attempted to have its delegates meet separately at the Assembly's normal site (the Mariscal Theater), but a clash between police and local students prevented their gathering. Some opposition leaders also claimed they could not attend the MAS' session, because pro-MAS supporters had encircled the La Glorieta, threatening to harm opposition delegates who tried to attend the MAS' Constituent Assembly meeting. The MAS' decision to move the Constituent Assembly and the increasingly intolerant and radical rhetoric by both the MAS and opposition leadership increases the likelihood of a significant confrontation between pro- and anti-MAS supporters. Whether the MAS' move is legal or not, its willingness to lock-out the opposition certainly violates the spirit of pluralistic democracy. The MAS appears to have chosen "plan B" (reftel) the "mano dura" (the hard hand scenario), where it exploits any and all possible legal gray areas to advance their constitutional project. End Summary.

Moving the Assembly
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12. (SBU) Constituent Assembly President and member of the ruling Movement Toward Socialism (MAS) Silvia Lazarte announced on November 22 that the MAS would convene a plenary session of the Assembly on November 23 at a former military

base (La Glorieta) located several kilometers outside of Sucre. The MAS leadership argues that Sucre -- specifically the Mariscal Theater, the official site of the Constituent Assembly -- is no longer a safe location to hold the Assembly. Pro-Sucre protesters have been blocking the theater for weeks to press their demand that the legislative and executive branches be returned to Sucre be included in the Assembly's agenda. Pro-MAS and pro-La Paz groups who oppose Sucre's bid have been converging on Sucre over the past week, reaching 4,000 to 5,000 by November 23. On several occasions the two sides have clashed resulting in injuries on both sides. Police and soldiers have been called in to protect La Glorieta. Meanwhile, pro-MAS supporters have also converged on the former base. Opposition parties including PODEMOS and UN rejected the MAS' announcement to move the Assembly, calling it illegal. The opposition had threatened to convene their own (parallel) plenary session at the Mariscal Theater.

13. (C) Assembly contacts told emboffs that the November 22 MAS decision to move the Assembly follows a November 21 "secret" trip to La Paz by Constituent Assembly President Silvia Lazarte. (Comment: The trip was widely reported in local media. End Comment). The contacts tell us Lazarte and other high-level MAS Constituent Assembly delegates met with the senior MAS leadership including President Morales.

Dueling Quorums) A Numbers Game

14. (SBU) The MAS leadership successfully pulled together 145 delegates at La Glorieta to achieve a quorum (16 more than the 128 were required). The MAS has 136 total delegates (or 53 percent), but 14 of them are from Chuquisaca. Many observers expected that a number of MAS delegates from Chuquisaca would break with their party, given the MAS' position against returning Sucre (Chuquisaca) to full capital status. In fact, only two chose not to attend. On the opposition side, one member of PODEMOS from El Alto broke ranks with his party and attended the Assembly. MAS Spokesman Marco Carrillo attempted to bolster the legitimacy of the new, lighter version of the Constituent Assembly by emphasizing it included members of the opposition and representatives of Chuquisaca. "The plenary session is guaranteed and we will start to work on the drafting of the new constitutional text for the country."

15. (SBU) The first order of business was to discuss the location of plenary session, the requirements for a quorum, the agenda, and the number of votes required to reach a two-thirds majority. The MAS argued that since La Glorieta is technically located in Sucre (despite being at least five kilometers away) their session was legal. (Comment: The opposition argues the session is illegal because it is being held on a military facility. According to some Embassy contacts, La Glorieta is outside Sucre city limits. End Comment).

Opposition Locked Out Everywhere

16. (C) The opposition was also hoping to form a quorum, but failed. In the end, they never got the chance to hold their parallel session. Pro-Sucre university students wishing to secure the Theater Mariscal presumably so the opposition could hold their session were met by the police and copious amounts of tear gas. The opposition delegates chose not to go to the theater for fear of being gassed by the police as well.

17. (C) According to a PODEMOS Constituent Assembly who contacted emboff, the PODEMOS delegation (and other opposition parties) were prevented from attending the La Glorieta session because of the large number of pro-MAS campesino groups "guarding the site." The delegate explained that it would be "suicide" if they went, since the campesinos have threatened to whip and beat them. Furthermore, the police and military had cordoned off the

environs of La Glorieta to prevent pro-Sucre groups from marching on the site. This opposition delegate argued that the security forces would have locked them out as well if they attempted to go to La Glorieta.

What the MAS Wants

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¶8. (C) One of the early orders of business for the La Glorieta session was to add a point to the agenda for the "review" of (and perhaps vote on) the reports issued by the Assembly's twenty-one commissions. This review will likely end in a vote on the MAS' majority reports, effectively approving the MAS' draft constitution. (Note: Each commission was allowed to issue a majority and minority report. The MAS, as the majority party, issued the majority reports in each commission. End Note).

¶9. (C) According to a PODEMOS contact, the MAS delegates went to La Glorieta with suitcases, indicating that they were planning to leave town immediately. The contact further interpreted the move as an confirmation that the MAS leadership intended for the assembly to vote on its version of the constitution and then close down the Assembly. The MAS leadership knows that two-thirds of the entire Assembly will never vote in favor of its draft constitution. However, it could certainly muster two-thirds of a MAS-heavy quorum. The prevailing belief within the MAS camp is that any vote where a majority of the delegates vote for the MAS constitution lends its "magna carta" credibility. With this credibility, some in the MAS leadership feel that the party will have the political cover to send to its constitution to a public referendum.

Rhetoric and Actions Continue to Harden

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¶10. (SBU) Both the MAS and opposition appear to be abandoning dialogue, and neither side appears ready to back down. Silvia Lazarte told reporters November 22, "We are never going to have consensus, never going to have agreements." Even so called "moderates," appear resigned to the fact that violence is imminent. Vice President Alvaro Garcia Linera on November 21 stated, "Initially we had thought that the construction of a new state was possible via dialogue . . . We have arrived at a moment when forces are tensing, we will have to see what happens." UN Constituent Assembly delegate Arturo Murillo stated, "we are very close to confrontation, one fallen (death) is enough (to spark the conflict.)" Senator Gaston Cornejo (MAS, Cochabamba) was the most blunt stating, "there will be a confrontation."

¶11. (SBU) More radical elements are talking about civil war. Edgar Patana, head of the El Alto Regional Workers Confederation (COR-El Alto) a group allied with the MAS, during a November 21 march on Congress, stated "The decisive battle has begun" later, members of his group were heard threatening, "Civil War!" The militant Omasuyo Ponchos Rojos (Red Ponchos), another group with close ties to the MAS, tortured and killed two dogs on November 22, declaring the move a warning of what they would do to opposition groups. Eugenio Rojas, the mayor of Achacachi, himself a Red Poncho, stated 1000 of the Red Ponchos would travel to Sucre on Sunday.

¶12. (SBU) Adding fuel to the already volatile political mix, Cochabamba Prefect Manfred Reyes Villa called on the military to "defend the country" from Venezuelan and Cuban influence, charging the two were threatening Bolivia's sovereignty. Reyes Villa also accused the government of "taking the country to civil war." President Evo Morales, not surprisingly, responded that Reyes Villa is encouraging a coup d'etat. The commander of the armed forces, General Wilfredo Vargas rejected Reyes Villas' charges and called them "unacceptable."

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Comment

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¶13. (C) By setting up a separate Assembly site and even (reportedly) locking-out members of the opposition, the MAS appear to be flirting with crossing a democratic "red-line." Members of the opposition have already declared illegal the moving of the Constituent Assembly. There may be legal arguments in the opposition's favor, but there is room for interpretation and with the Constitutional Tribunal in limbo any interpretation may come too late if at all. In the end, whether the Assembly could legally meet at La Glorieta is less relevant than the fact that opposition members were unable to attend the session. Should the MAS approve their constitution and force through a referendum, opposition groups have already announced they will not abide by it. In the meantime, various groups appear poised to clash (again) in Sucre, and this time the casualty numbers could be significantly higher than the handful of injuries earlier in the week. End Comment.
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